

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

**Plaintiff,**

v. Case No. 2:19-cr-53  
JUDGE EDMUND A. SARGUS, JR.

**ANDREW K. MITCHELL,**

**Defendant.**

**ORDER**

This matter is before the Unopposed Motion to Continue the Trial Schedule. (ECF No. 41.)

Under the current scheduling order, trial is set for September 21, 2020. (ECF No. 40.)

After reviewing the Motion, the Court concludes that failure to grant a continuance would deny the parties “the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.” *See* 18 U.S.C. § 3161(h)(7)(B)(iv). As such, the Court finds that “the ends of justice served by [continuing the trial] outweigh the best interests of the public and the defendant in a speedy trial.” *See id.* § 3161(h)(7)(A). The delay caused by the continuance is properly excluded from the limits of the Speedy Trial Act. *See id.* § 3161(h).

Accordingly, the Unopposed Motion to Continue the Trial Schedule (ECF No. 41) is **GRANTED**, and the current trial date is **VACATED**. The Court will promptly issue a new scheduling order.

**IT IS SO ORDERED.**

8/27/2020

**DATE**

s/Edmund A. Sargus, Jr.

**EDMUND A. SARGUS, JR.**

**UNITED STATES DISTRICT JUDGE**